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7 ATTORNEYS FOR PLAINTIFFS, CARPENTERS SOUTHWEST
8 ADMINISTRATIVE CORPORATION and BOARD OF TRUSTEES
FOR THE CARPENTERS SOUTHWEST TRUSTS

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

13 CARPENTERS SOUTHWEST
14 ADMINISTRATIVE CORPORATION, a }
15 California non-profit corporation; and }
16 BOARD OF TRUSTEES FOR THE }
17 CARPENTERS SOUTHWEST TRUSTS, }
18 Plaintiffs,
19 v.
20 AMERICAN INDUSTRIAL
21 CONTRACTING, INC., a California
22 corporation; PAUL HOBART
23 HAMILTON, individually and doing
24 business as AMERICAN INDUSTRIAL
CONTRACTING formerly known as
PAUL HAMILTON CONSTRUCTION, a
sole ownership; SUN MARCHANT, an
individual; ANGELES CONTRACTOR,
INC., a California corporation; and DOES
1 through 10, inclusive,
Defendants.
CASE NO. CV 09-07861
DDP(CWx)
PROPOSED JUDGMENT
Before the Honorable
Dean D. Pregerson
DATE: August 9, 2010
TIME: 10:00 a.m.
CTRM: 3

26 This case came for hearing on August 9, 2010 before the Honorable Dean
27 D. Pregerson, United States District Court Judge.

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1 It appearing that defendants, AMERICAN INDUSTRIAL
 2 CONTRACTING, INC., a California corporation and PAUL HOBART
 3 HAMILTON, individually and doing business as AMERICAN INDUSTRIAL
 4 CONTRACTING formerly known as PAUL HAMILTON CONSTRUCTION, a
 5 sole ownership, having been regularly served with process, having failed to plead
 6 or otherwise defend this action and their default having been entered; on
 7 application of the CARPENTERS SOUTHWEST ADMINISTRATIVE
 8 CORPORATION and BOARD OF TRUSTEES FOR THE CARPENTERS
 9 SOUTHWEST TRUSTS, to the Court and after having considered the papers and
 10 arguments submitted in support thereof, and good cause appearing therefore,

11 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that
 12 CARPENTERS SOUTHWEST ADMINISTRATIVE CORPORATION and
 13 BOARD OF TRUSTEES FOR THE CARPENTERS SOUTHWEST TRUSTS
 14 have judgment as follows:

15 AS TO CARPENTERS SOUTHWEST ADMINISTRATIVE
 16 CORPORATION and BOARD OF TRUSTEES FOR THE CARPENTERS
 17 SOUTHWEST TRUSTS' FIRST CLAIM FOR RELIEF AGAINST AMERICAN
 18 INDUSTRIAL CONTRACTING, INC., a California corporation and PAUL
 19 HOBART HAMILTON, individually and doing business as AMERICAN
 20 INDUSTRIAL CONTRACTING formerly known as PAUL HAMILTON
 21 CONSTRUCTION, a sole ownership:

22	1.	Unpaid contributions	\$285,436.84
23	2.	Liquidated damages based on original contributions	47,398.96
24	3.	Interest on the unpaid contributions pursuant to 29 U.S.C.A. 1132 (g)(2) (7 percent per annum) pursuant to the Trust Agreements from the due date to billing date	6,913.26
25	4.	Audit Fees	8,594.00
26	5.	Interest from due dates to August 9, 2010	

1	(accruing at \$55.49 per day)	23,635.54
2	6. NSF Bank charges	40.00
3	7. Attorneys' fees pursuant to Local Rule 55-3	10,567.66
4	GRAND TOTAL	\$382,586.26
5	8. Plus costs to be determined after entry of judgment.	
6	9. Pursuant to 28 U.S.C. §1961(a), this judgment 7. shall bear interest at the rate of _____ % per annum.	

8 **AS TO CARPENTERS SOUTHWEST ADMINISTRATIVE**
 9 **CORPORATION and BOARD OF TRUSTEES FOR THE CARPENTERS**
 10 **SOUTHWEST TRUSTS' SECOND CLAIM FOR RELIEF FOR DEFALCATION**
 11 **AGAINST PAUL HOBART HAMILTON:**

12	1. Unpaid contributions	\$79,787.46
13	2. Interest on the unpaid contributions pursuant to 29 U.S.C.A. 1132 (g)(2) (7 percent per annum) pursuant to the Trust Agreements from the due date to August 9, 2010 (accruing at \$15.51 per day)	6,394.69
15	3. Attorneys' fees pursuant to Local Rule 55-3	4,791.50
16	GRAND TOTAL	\$90,973.65
17	4. Plus costs to be determined after entry of judgment.	
18	5. Pursuant to 28 U.S.C. §1961(a), this judgment shall bear interest at the rate of _____ % per annum.	

21 DATED: August 10, 2010

22 THE HONORABLE DAVID D. PREGERSON
UNITED STATES DISTRICT JUDGE

23 Presented by,

24 DeCARLO, CONNOR & SHANLEY
A Professional Corporation

26 By: Margaret R. Gifford 7/1/10
27 MARGARET R. GIFFORD
Attorney for Plaintiffs

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